



10-19-06

PATENT *AF 22u*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/783,417 Confirmation No.: 6391
Applicant(s): Carozzi et al.
Filed: February 19, 2004
Art Unit: 1638
Examiner: Anne R. Kubelik
Title: AXMI-006, A DELTA-ENDOTOXIN GENE AND METHODS FOR ITS USE

Docket No.: 045600/274146
Customer No.: 00826

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
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**NOTICE OF APPEAL TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)**

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated July 18, 2006, rejecting the following Claims 1-11, 19, 22 and 23. The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

- ☒ Applicant claims small entity Status.
- ☒ A check in the amount of \$250 is enclosed.
(\$500.00 for large entity fee or \$250.00 if small entity status)
- ☒ Any additional fee or refund may be charged to our
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Respectfully submitted,

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